



Sen. A. J. Wilhelmi

Filed: 4/11/2008

09500SB2349sam004

LRB095 19641 RLC 49459 a

1 AMENDMENT TO SENATE BILL 2349

2 AMENDMENT NO. _____. Amend Senate Bill 2349 on page 1,
3 line 1, by inserting after "law" the following:

4 ", which may be referred to as the Child Protection Act of
5 2008"; and

6 on page 1, by replacing lines 5 and 6 with the following:

7 "Sections 11-9.4, 11-21, 11-23, and 11-24 and by adding
8 Sections 10-8.1 and 11-6.6 as follows:"; and

9 on page 1, line 19, by inserting after "age" the following:

10 ", other than for a lawful purpose under Illinois law"; and

11 on page 1, line 23, by inserting after "age" the following:

12 ", other than for a lawful purpose under Illinois law"; and

13 on page 2, line 14, by inserting after "guardian" the
14 following:

1 "and the meeting with the child is arranged for a purpose other
2 than a lawful purpose under Illinois law"; and

3 on page 4, line 18, by inserting after "communicate" the
4 following:

5 ", other than for a lawful purpose under Illinois law"; and

6 by deleting lines 18 through 25 on page 12 and lines 1 through
7 12 on page 13; and

8 on page 18, by inserting immediately below line 17 the
9 following:

10 "(720 ILCS 5/11-23)

11 Sec. 11-23. Posting of identifying or graphic information
12 on a pornographic Internet site or possessing graphic
13 information with pornographic material.

14 (a) A person at least 17 years of age who discloses on an
15 adult obscenity or child pornography Internet site the name,
16 address, telephone number, or e-mail address of a person under
17 17 years of age at the time of the commission of the offense or
18 of a person at least 17 years of age without the consent of the
19 person at least 17 years of age is guilty of the offense of
20 posting of identifying information on a pornographic Internet
21 site.

22 (a-5) Any person who places, posts, reproduces, or

1 maintains on an adult obscenity or child pornography Internet
2 site a photograph, video, or digital image of a person under 18
3 years of age that is not child pornography under Section
4 11-20.1, without the knowledge and consent of the person under
5 18 years of age, is guilty of the offense of posting of graphic
6 information on a pornographic Internet site. This provision
7 applies even if the person under 18 years of age is fully or
8 properly clothed in the photograph, video, or digital image.

9 (a-10) Any person who places, posts, reproduces, or
10 maintains on an adult obscenity or child pornography Internet
11 site, or possesses with obscene or child pornographic material
12 a photograph, video, or digital image of a person under 18 year
13 of age in which the child is posed in a suggestive manner with
14 the focus or concentration of the image on the child's clothed
15 genitals, clothed pubic area, clothed buttocks area, or if the
16 child is female, the breast exposed through transparent
17 clothing, and the photograph, video, or digital image is not
18 child pornography under Section 11-20.1, is guilty of posting
19 of graphic information on a pornographic Internet site or
20 possessing graphic information with pornographic material.

21 (b) Sentence. A person who violates subsection (a) of this
22 Section is guilty of a Class 4 felony if the victim is at least
23 17 years of age at the time of the offense and a Class 3 felony
24 if the victim is under 17 years of age at the time of the
25 offense. A person who violates subsection (a-5) of this Section
26 is guilty of a Class 4 felony. A person who violates subsection

1 (a-10) of this Section is guilty of a Class 3 felony.

2 (c) Definitions. For purposes of this Section:

3 (1) "Adult obscenity or child pornography Internet
4 site" means a site on the Internet that contains material
5 that is obscene as defined in Section 11-20 of this Code or
6 that is child pornography as defined in Section 11-20.1 of
7 this Code.

8 (2) "Internet" includes the World Wide Web, electronic
9 mail, a news group posting, or Internet file transfer.

10 (Source: P.A. 91-222, eff. 7-22-99.); and

11 by replacing line 25 on page 18 and lines 1 through 4 on page 19
12 with the following:

13 "(1) conduct or operate any type of business in which
14 he or she photographs, videotapes, or takes a digital image
15 of a child; or

16 (2) conduct or operate any type of business in which he
17 or she instructs or directs another"; and

18 on page 19, by replacing line 6 with the following:

19 "a child; or ~~or~~

20 (3) photograph, videotape, or take a digital image of a
21 child, or instruct or direct another person to photograph,
22 videotape, or take a digital image of a child without the
23 consent of the parent or guardian."; and

1 by deleting all of page 20.